

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)
) CASE NO. 19 B 18649
John Coleman,) HONORABLE LaShonda A Hunt
DEBTOR) CHAPTER 13

NOTICE OF MOTION

To: Glenn B Stearns, 801 Warrenville Road Suite 650, Lisle, IL 60532;
PennyMac Loan Services, LLC, PO Box 2410, Moorpark, CA 93020;
Timothy R Yueill, Law Offices of Ira T. Nevel, 175 N. Franklin, Chicago, IL 60606;
representing PennyMac Loan Services, LLC,
CT Corporation System, Registered Agent PennyMac Loan Services, LLC, 208 S. LaSalle St,
Suite 814, Chicago, IL 60604;
David A. Spector, President for PennyMac Loan Services, LLC, 3043 Townsgate Rd, Suite 200,
Westlake Village, CA 91361;

See attached Service List via U.S. Mail.

Please take notice that on March 19, 2021, at 10:15 a.m., I shall appear telephonically before the Honorable LaShonda A Hunt, or any judge sitting in that judge's place, and present the motion to modify plan, a copy of which is attached.

This motion will be presented and heard telephonically using AT&T Teleconference. No personal appearance in court is necessary or permitted. To appear and be heard telephonically on the motion, you must call in to the hearing using the following information—Toll Free Number: 1-888-557-8511; Access Code: 7490911.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

PROOF OF SERVICE

The undersigned, an attorney, certifies that he transmitted a copy of this notice and the attached motion to the above-named creditor and also to the attached service list via regular U.S. Mail with postage prepaid from the mailbox located at 20 S. Clark Street, Chicago, IL 60603 on February 24, 2021.

/s/ Yisroel Y. Moskovits
Attorney for Debtors

The Semrad Law Firm, LLC
10 N Martingale Rd Suite 400
Schaumburg, IL 60173
(312) 913-0625

Label Matrix for local noticing

0752-1

Case 19-18649

Northern District of Illinois

Eastern Division

Wed Feb 24 13:04:27 CST 2021

U.S. Bankruptcy Court

Eastern Division

219 S Dearborn

7th Floor

Chicago, IL 60604-1702

PRA Receivables Management LLC

POB 41067

Norfolk, VA 23541-1067

PRA Receivables Management, LLC

PO Box 41021

Norfolk, VA 23541-1021

ALLY FINANCIAL

200 RENAISSANCE CTR

DETROIT, MI 48243-1300

Ally Financial

PO Box 130424

Roseville, MN 55113-0004

Ashley Furniture

1930 Mt Zion Road

Morrow, GA 30260-3316

(p)CAPITAL ONE

PO BOX 30285

SALT LAKE CITY UT 84130-0285

CBNA

Po Box 6497

Sioux Falls, SD 57117-6497

(p) JPMORGAN CHASE BANK N A

BANKRUPTCY MAIL INTAKE TEAM

700 KANSAS LANE FLOOR 01

MONROE LA 71203-4774

CHRYSLER Capital

PO BOX 961275

FORT WORTH, TX 76161-0275

COMENITYBANK/KAY

3100 Easton Square Place

Columbus, OH 43219-6232

COMENITYBANK/VICTORIA

220 W SCHROCK RD

WESTERVILLE, OH 43081-2873

Capital One Bank (USA), N.A.

4515 N Santa Fe Ave

Oklahoma City, OK 73118-7901

Citibank, N.A.

701 East 60th Street North

Sioux Falls, SD 57104-0493

ComEd
3 Lincoln Center
Bankruptcy Section
Oakbrook Terrace, IL 60181-4204

Commonwealth Edison Company
Bankruptcy Department
1919 Swift Drive
Oak Brook, IL 60523-1502

DISCOVER FIN SVCS LLC
PO Box 3025
New Albany, OH 43054-3025

Discover Bank
Discover Products Inc
PO Box 3025
New Albany, OH 43054-3025

Dupage Medical Group
15921 Collection Center Dr
Chicago, IL 60693-0001

EAGLE HOME MORTGAGE, L
15550 LIGHTWAVE DR STE 2
CLEARWATER, FL 33760-3504

Edward Hospital
Po Box 4207
Carol Stream, IL 60197-4207

FEB-RETAIL
3175 Commercial Ave
Ste 201
Northbrook, IL 60062-1924

FIRST PREMIER BANK
c/o Jefferson Capital Systems LLC PO Box
c/o Linda Dold
Saint Cloud, MN 56302

FNB OMAHA
1620 DODGE ST
OMAHA, NE 68197-0003

(p)PERI GARITE
ATTN CARD WORKS
101 CROSSWAYS PARK DR W
WOODBURY NY 11797-2020

IRS 1
PO Box 7346
Philadelphia, PA 19101-7346

(p) ILLINOIS DEPARTMENT OF REVENUE
BANKRUPTCY UNIT
PO BOX 19035
SPRINGFIELD IL 62794-9035

J.B. ROBINSON JEWELERS
375 GHENT RD
FAIRLAWN, OH 44333-4601

JARED GALLERIA
375 GHENT RD
FAIRLAWN, OH 44333-4601

JPMorgan Chase Bank, N.A.
s/b/m/t Chase Bank USA, N.A.
JPMC
c/o National Bankruptcy Services, LLC
P.O. Box 9013
Addison, Texas 75001-9013

OneMain
PO Box 3251
Evansville, IN 47731-3251

KAY JEWELERS
1903 Southlake Mall
Merrillville, IN 46410-6434

PENNYMAC LOAN SERVICES
Po Box 514387
Los Angeles, CA 90051-4387

ONEMAIN
605 Munn Rd E
Fort Mill, SC 29715-8421

PennyMac Loan Services, LLC
P.O. Box 660929
Dallas TX 75266-0929

(p) PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Premier Bankcard, Llc
Jefferson Capital Systems LLC Assignee
Po Box 7999
Saint Cloud Mn 56302-7999

Quantum3 Group LLC as agent for
Comenity Bank
PO Box 788
Kirkland, WA 98083-0788

SFLNDcorp
ONE LETTERMAN DRIVE BUILDING A, SUITE 47
SAN FRANCISCO, CA 94129-1494

SOFI
2750 E COTTONWOOD PKWY
COTTONWOOD HEIGHTS, UT 84121-7284

SYNCB/ASHLEY HOMESTORE
7780 S Cicero Ave
Burbank, IL 60459-1583

SYNCB/BP
C/O PO BOX 965024
ORLANDO, FL 32896-0001

SYNCB/CARE CREDIT
C/O P.O. BOX 965036
ORLANDO, FL 32896-0001

SYNCB/NETWRK
C/O PO BOX 965036
ORLANDO, FL 32896-0001

SYNCB/WALMAR
2001 Western Ave
Ste 400
Seattle, WA 98121-3132

Santander Consumer USA
ATT POC: Janiscia Jackson PO Box 961245
Fort Worth, TX 76161-0244

Santander Consumer USA Inc.
an Illinois corporation
d/b/a Chrysler Capital
PO Box 961275
Fort Worth, TX 76161-0275

SoFi Lending Corp
One Letterman Dr Bldg A Ste 4700
San Francisco, CA 94129-1512

Surgical Center of DuPage Medical Group
1593 Paysphere Circle
Chicago, IL 60674-0015

Synchrony Bank
c/o PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

TBOM/ATLS/FORTIVA
PO BOX 105555
ATLANTA, GA 30348-5555

(p) TOYOTA MOTOR CREDIT CORPORATION
PO BOX 8026
CEDAR RAPIDS IA 52408-8026

Verizon
by American InfoSource as agent
4515 N Santa Fe Ave
Oklahoma City, OK 73118-7901

WF BANK NA
PO BOX 14517
DES MOINES, IA 50306-3517

Wells Fargo Bank, N.A.
PO Box 10438, MAC F8235-02F
Des Moines, IA 50306-0438

Glenn B Stearns
801 Warrenville Road Suite 650
Lisle, IL 60532-4350

John Coleman
24242 W. Bristol Ave
Plainfield, IL 60585-2119

Michael Spangler
The Semrad Law Firm, LLC
20 S Clark St, 28th Floor
Chicago, IL 60603-1811

Patrick S Layng
Office of the U.S. Trustee, Region 11
219 S Dearborn St
Room 873
Chicago, IL 60604-2027

Sarah A Lentes
The Semrad Law Firm, LLC
20 S. Clark St. Suite 2800
Chicago, IL 60603-1811

Yisroel Y Moskovits
The Semrad Law Firm, LLC
20 S. Clark St.
28th Floor
Chicago, IL 60603-1811

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

CAPITAL ONE BANK USA N
PO BOX 85520
RICHMOND, VA 23285

CHASE CARD
201 N Walnut St
Wilmington, DE 19801

First National Bank of Omaha
1620 Dodge Street, Stop Code 3105
Omaha, NE 68197

Illinois Department of Revenue
PO Box 19035
Springfield, IL 62794-9035

(d) KOHLS/CHASE
PO BOX 15298
WILMINGTON, DE 19850

Portfolio Recovery Associates, LLC
PO Box 41067
Norfolk, VA 23541

(d) Portfolio Recovery Associates, LLC
c/o Care Credit
POB 41067
Norfolk VA 23541

TOYOTA MOTOR CREDIT
PO Box 5855
Carol Stream, IL 60197

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) PENNYMAC LOAN SERVICES, LLC

End of Label Matrix	
Mailable recipients	61
Bypassed recipients	1
Total	62

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)
) CASE NO. 19 B 18649
John Coleman,) HONORABLE LaShonda A Hunt
) CHAPTER 13
DEBTOR.)

MOTION TO MODIFY PLAN

NOW COMES the Debtor, John Coleman, by and through Debtor's attorney, The Semrad Law Firm, LLC and hereby moves this Honorable Court to modify the Chapter 13 Plan, and Debtor states the following:

1. On July 1, 2019 the Debtor filed a petition for relief pursuant to Chapter 13 Title 11 U.S.C.
2. On September 20, 2019, this Honorable Court confirmed the Debtor's Chapter 13 Plan.
3. The confirmed Chapter 13 Plan allows for secured creditors to be paid 100% of their allowed claims, and general unsecured creditors without priority to be paid 21% of their allowed claims.
4. The confirmed Chapter 13 Plan requires the Debtor to make payments to the Chapter 13 Trustee in the amount of \$1,500.00 on a monthly basis for 60 months.
5. Debtor fell behind on his mortgage payments in the amount of \$4,040.04 due to the Covid-19 pandemic.
6. That the Debtor wishes to modify Section 3.1 of the Plan to cure the post-petition arrears in the amount of \$4,040.04 to PennyMac Loan Services, LLC.
7. That the Debtor owes \$8,731.68 in pre-petition mortgage arrears and \$4,040.04 in post-petition mortgage arrears.
8. That the Debtor does not anticipate falling behind on mortgage payments moving forward.

9. That Section 1322(b)(5) allow a debtor to cure any mortgage default. *In re Hoggle*, 12 F.3d 1008, 1012 (11th Cir. 1994)(allowing debtor to modify a chapter 13 plan post-confirmation to include post-petition mortgage default in debtors plan when the mortgage company filed a motion for relief from the automatic stay). This would cure the post- petition mortgage default and thus allow the court to overrule the mortgage's motion to modify the stay.
10. That on March 27, 2020, the Coronavirus Aid, Relief and Economic Security Act H.R. 748 (CARES ACT) was signed into law.
11. Under the CARES ACT, Section 1113(b) Debtor(s) affected by the Covid-19 pandemic may petition the Court for plan modification, including, but not limited to extending the plan up to seven years from the date of confirmation.
12. That the Debtor's plan term past the 60-month period to cure the post-petition mortgage default and be feasible.
13. Debtor respectfully requests this Honorable Court to amend Section 3.1 of the Plan to increase PennyMac Loan Services, LLC's mortgage arrears claim by \$4,040.04 for a total arrears claim of \$12,771.72 for post-petition mortgage arrears.
14. Debtor further requests this Honorable Court to extend the Debtor's Chapter 13 plan term past the 60-month period pursuant to the CARES Act.
15. Debtor has filed the instant case in good faith and intends to complete the plan of reorganization.

WHEREFORE, Debtor prays this Honorable Court for the following relief:

- A. That Section 3.1 of Debtor's Chapter 13 plan is amended to increase PennyMac Loan Services, LLC's mortgage arrears claim by \$4,040.04 for a total arrears claim of \$12,771.72 for post-petition mortgage arrears; and

B. That the plan will extend past the 60-month period pursuant to the CARES act;

and

C. For any further relief as the Court may deem fair and proper.

Respectfully submitted,

/s/ Yisroel Y. Moskovits

Attorney for Debtors

The Semrad Law Firm, LLC
Attorney for Debtors
10 N Martingale Rd Suite 400
Schaumburg, IL 60173
(312) 913-0625